



09/8

Re Application Of: Brian G. Agee et al.
Serial No. 09/787,789 878789
Filed: 06/10/2001
For: Method and Appara....

Examiner: Blanche Wong
Group Art Unit: 2667
Atty. Docket No:
Date: Sept. 20, 2005

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

AMENDMENT

Attorney had agreed to Examiner's Amendment on Feb. 18, 2005, by telephonic interview, changing the text of Claims 1 and 2, and leaving all other claims untouched. At that time, both Examiner and Attorney considered the application ready to issue with all substantive efforts completed.

After submitting this by fax, Examiner called again, indicating that there was a further (but identical) substantive amendment to the claims, specifically, that claim 108 had to have the word "waves" changed to "signals". Attorney approved this Examiner's amendment, while checking against the original text. This uncovered the fact that the claim numbering had to be corrected for all claims after 56, as that number had been used twice. Attorney immediately prepared those changes, and then went through and corrected all dependent claim numbers in claims after claim 56 (claims 63-75, 77-100, 102-104, 110-112, and 114). In doing so, Attorney spotted typos that created 'forward dependencies', and corrected them for dependent claims 137-139 (incorrectly claiming forward to 166 instead of back to 1) and dependent claims 141-143 (incorrectly claiming forward to 170, instead of back to 50).

With these further Examiner's corrections and clerical errors corrected, Attorney resubmits the text and believes, at this time, that the application is ready to issue.

APPARENT DELAY

On Sept. 20th, 2005, Examiner telephoned Attorney, who was trying to find the telephone number to call at the PTO concerning the non-progress of this Application. Examiner informed Attorney that she had just discovered that, according to her file, this application